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August 29, 2024

BY ECF AND FACSIMILE

The Honorable Paul G. Gardephe
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: United States v. Rodriguez, 22 CR 591 (PGG)

Dear Judge Gardephe:

We write on behalf of our client, Emilio Rodriguez, jointly with the Government, to respectfully request that Your Honor adjourn the September 6, 2024 Violation of Supervised Release conference to a date convenient to the Court in mid-October 2024. We have conferred with counsel for the Government who concurs with the requested adjournment.

By way of background, on October 26, 2023, the Probation Department issued a violation report and request for summons in connection with the defendant's violations of the conditions of his supervised release. The defendant appeared before the Court on November 7, 2023. The specifications against the defendant, as set forth in the October 26, 2023 violation report, are based primarily on: (1) pending state charges in the Bronx in connection with an alleged assault and attempted robbery committed by the defendant on August 23, 2023 (the "Bronx State Case"); and (2) an outstanding warrant for the defendant's arrest in Hillsborough, New Jersey, in connection with allegations that the defendant violated an order of protection (the "New Jersey Warrant").

Mr. Rodriguez was sentenced to time served and paid a \$227 fine in resolution of the New Jersey Warrant. While several of the pending charges that underly the Bronx State Case were dismissed in April 2024, several of the charges, which are the basis of the specifications against the defendant, remain pending. Following court appearances on July 8 and August 20, 2024 in the Bronx State Case, the matter has again been adjourned to September 30, 2024 without resolution.

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To date, Mr. Rodriguez has remained in compliance with his original conditions of supervised release and the modified conditions Your Honor imposed on November 7, 2023.¹ Mr. Rodriguez has also been diligent in appearing for his court appearances in the Bronx State Case and in communicating with Officer Francisco. To allow for the resolution of the Bronx State Case and to accommodate schedules, jointly with counsel for the Government, we respectfully request an adjournment of the September 6, 2024 conference to a date convenient to the Court in mid-October 2024.

Respectfully submitted,



Glen A. Kopp
Partner

cc: Georgia Kostopoulos, Esq. (by email)

MEMO ENDORSED:

The conference currently scheduled for September 6, 2024, is adjourned to **October 11, 2024, at 10:00 a.m.** Defendant Emilio Rodriguez is reminded that he is prohibited from having contact with his ex-girlfriend and members of her family between now and the next conference on October 11, 2024.

SO ORDERED.



Paul G. Gardephe
United States District Judge

Date: August 30, 2024

¹ In July 2024, Mr. Rodriguez was briefly taken into custody in the Bronx when he was found in the driver's seat of a parked car without a license or proper paperwork. Mr. Rodriguez intends to plead not guilty to the charge when he is scheduled to appear in court in September.